

AF/1762  
\$ CC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Klaus et al.

Serial No.: 09/523,491

Group Art Unit: 1762

Filed: March 10, 2000

Examiner: Fuller, Eric B.

For: A SOLID MATERIAL COMPRISING A THIN METAL FILM ON ITS SURFACE AND METHODS FOR PRODUCING THE SAME

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING SENT
BY FIRST CLASS MAIL TO:
COMMISSIONER OF PATENTS AND TRADEMARKS,
On February 13, 2004
DATE OF DEPOSIT
Gary C. Cohn
PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE
SIGNATURE OF PERSON SIGNING CERTIFICATE

*Gary C. Cohn*

Hon. Commissioner of Patents & Trademarks

RECEIVED

Sir:

FEB 23 2004

RESUBMISSION OF RESPONSE

On January 13, 2004, the undersigned submitted a response, fee sheet and credit card authorization form to the USPTO by facsimile to telephone number 703-872-9306. Our facsimile machine printed a conformation report, indicating that the entire 16 pages of the facsimile were successfully sent to a fax machine that identified itself as "USPTO". However, no facsimile auto-transmission was received from the USPTO in response to the fax.

On February 9, our office called Examiner Fuller in Art Unit 1762 to inquire on the status of the case. Examiner Fuller informed us that the facsimile transmission had not been recorded by the USPTO. At Examiner Fuller's advice, we contacted the Patent Application Retrieval System at 866-217-9197. That office began an investigation as to the whereabouts of the fax. That is unresolved as of this time.

This paper is being filed to resubmit the response that was filed on January 13, to pay fees for an extension of time until February 13, 2004, and to file a notice of appeal prior to the end of the statutory six-month period for responding. This filing, and the payment of

these fees, is being made to preserve the applicant's rights in case the USPTO challenges the January 13 submission.

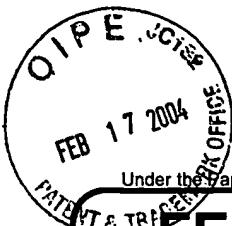
Enclosed with this paper are:

- (1) Notice of Appeal.
- (2) Request for extension of time.
- (3) Fee sheet dated February 13, 2004, paying the extension of time and appeal fees;
- (4) Credit card authorization form for the fees being paid today.
- (5) Copy of the confirmation report generated by our fax machine, verifying that the January 16 fax was sent and received.
- (6) Copy of the papers filed January 13, 2004. The copy of the credit card authorization form sent on January 13 has been marked "COPY" so it will not be used to process any new fee.

We look forward to resolving the disappearance of the January 13 facsimile transmission.

Respectfully submitted  
GARY C. COHN PLLC

Gary C. Cohn  
Registration No. 30,456  
Phone: (425) 576-1656  
4010 Lake Washington Blvd. NE  
Suite 105  
Kirkland, WA 98033



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 640.00)

## Complete if Known

Application Number	09/523,491
Filing Date	March 10, 2000
First Named Inventor	Klaus
Examiner Name	Fuller
Art Unit	1762
Attorney Docket No.	UTC 003

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FER 23 2004

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	<input type="text"/>
Deposit Account Name	<input type="text"/>

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	<input type="text"/>
1002 340	2002 170	Design filing fee	<input type="text"/>
1003 530	2003 265	Plant filing fee	<input type="text"/>
1004 770	2004 385	Reissue filing fee	<input type="text"/>
1005 160	2005 80	Provisional filing fee	<input type="text"/>
<b>SUBTOTAL (1) (\$)</b>			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
<input type="text"/>	<input type="text"/>	<input type="text"/>	-20** = <input type="text"/>	X <input type="text"/> = <input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	- 3** = <input type="text"/>	X <input type="text"/> = <input type="text"/>	<input type="text"/>
				<input type="text"/>	<input type="text"/>

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	<input type="text"/>
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
1053 130	1053 130	Non-English specification	<input type="text"/>
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	<input type="text"/>
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
1251 110	2251 55	Extension for reply within first month	<input type="text"/>
1252 420	2252 210	Extension for reply within second month	<input type="text"/>
1253 950	2253 475	Extension for reply within third month	<input type="text"/>
1254 1,480	2254 740	Extension for reply within fourth month	<input type="text"/>
1255 2,010	2255 1,005	Extension for reply within fifth month	<input type="text"/>
1401 330	2401 165	Notice of Appeal	<input type="text"/>
1402 330	2402 165	Filing a brief in support of an appeal	<input type="text"/>
1403 290	2403 145	Request for oral hearing	<input type="text"/>
1451 1,510	1451 1,510	Petition to institute a public use proceeding	<input type="text"/>
1452 110	2452 55	Petition to revive - unavoidable	<input type="text"/>
1453 1,330	2453 665	Petition to revive - unintentional	<input type="text"/>
1501 1,330	2501 665	Utility issue fee (or reissue)	<input type="text"/>
1502 480	2502 240	Design issue fee	<input type="text"/>
1503 640	2503 320	Plant issue fee	<input type="text"/>
1460 130	1460 130	Petitions to the Commissioner	<input type="text"/>
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>
1806 180	1806 180	Submission of Information Disclosure Stmt	<input type="text"/>
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	<input type="text"/>
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>
1801 770	2801 385	Request for Continued Examination (RCE)	<input type="text"/>
1802 900	1802 900	Request for expedited examination of a design application	<input type="text"/>
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 640.00)**

(Complete if applicable)

Name (Print/Type)	Gary C. Cohn	Registration No. (Attorney/Agent)	30,456	Telephone	425-576-1656
Signature	Date 2-13-04				

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# FAX



Date January 13, 2004

Number of pages including cover sheet 16

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FEB 23 2004

To:

Examiner Fuller  
Art Unit 1762  
S/N 09/523,491

Filed March 10, 2000

Phone \_\_\_\_\_

Fax Phone 703-872-9306

CC:

Fax Phone \_\_\_\_\_

From:

Gary Cohn  
Gary C. Cohn PLLC  
4010 Lk. Wash. Blvd.  
Suite 105  
Kirkland, WA 98033

Phone (425) 576-1656

Fax Phone (425) 576-1756

REMARKS:

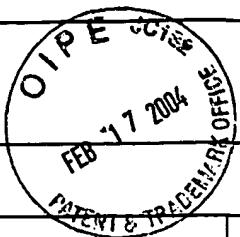
Urgent     For your review     Reply ASAP     Please comment

RE: S/N 09/23,491

Please find attached Response B (12 pp.), petition for extension of time, FY2004 fee sheet, and credit card authorization form.

Gary C. Cohn

HP LaserJet 3100  
Printer/Fax/Copier/Scanner



SEND CONFIRMATION REPORT for  
Gary C Cohn PLLC  
425 576 1756  
Jan-13-04 4:35PM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
107	1/13 4:30PM	5'07"	USPTO	Send.....	16/16	EC144	Completed.....

Total 5'07" Pages Sent: 16 Pages Printed: 0

**FAX**

**RECEIVED**

**FEB 23 2004**

Date January 13, 2004  
Number of pages including cover sheet 16

To:	From:
<u>Examiner Fuller</u>	<u>Gary Cohn</u>
<u>Art Unit 1762</u>	<u>Gary C. Cohn PLLC</u>
<u>S/N 09/23,491</u>	<u>4010 Lk. Wash. Blvd.</u>
<u>Filed March 10, 2000</u>	<u>Suite 105</u>
<u>Phone</u>	<u>Kirkland, WA 98033</u>
<u>Fax Phone</u> <u>703-872-8306</u>	<u>Phone (425) 576-1656</u>
	<u>Fax Phone (425) 576-1756</u>

CC:  
Fax Phone \_\_\_\_\_

REMARKS:

Urgent     For your review     Reply ASAP     Please comment

RE: S/N 09/23,491

Please find attached Response B (12 pp.), petition for extension of time, FY2004 fee sheet, and credit card authorization form.

Gary C. Cohn